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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/720,499 | 11/24/2003 | John Hal Howard | MS1-367USC1 | 4593 |

22801 7590 07/12/2007
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| EXAMINER |
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WHIPPLE, BRIAN P

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| ART UNIT | PAPER NUMBER |
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2152

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| MAIL DATE | DELIVERY MODE |
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07/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/720,499

Applicant(s)

HOWARD ET AL.

Examiner

Brian P. Whipple

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>11/24/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 are pending in this application and presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5, 15, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 5 is rejected under 35 U.S.C. 101 because the claim(s) are directed to neither a "process" nor a "article of manufacture," but rather embrace or overlap two different statutory classes of invention set forth in 35 U.S.C. 101 which sets forth the statutory classes of invention in the alternative only. *Ex parte Lyell*, 17 USPQ2d 1551 (Bd. Pat. App. & Inter. 1990).

5. As to claims 15 and 19, the phrase "the first server" lacks antecedent basis. The examiner interpreted the phrase as "the network server" for the purposes of examination.

Claim Rejections - 35 USC § 102

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6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 3-10, and 13-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Reiche, U.S. Patent No. 6,092,196.

8. As to claim 1, Reiche discloses a method for seeking access to a first server (Col. 8, ln. 47-52), the method comprising:

determining that a client seeking access to the first server is not authenticated by an authentication server (Col. 9, ln. 6-9 and 18-20);

communicating a request for login information to be returned to the authentication server from the client (Col. 9, ln. 21-26 and 38-39);

receiving the login information at the authentication server from the client (Col. 9, ln. 38-39);

authenticating the client by comparing the login information with authentication information maintained by the authentication server (Fig. 2b, *especially* items 224 and 226; Col. 9, ln. 39-45); and

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when the login information matches the authentication information (Fig. 2b, *especially* items 224 and 226; Col. 9, In. 39-45), generating a user authentication indicator at the authentication server (Col. 9, In. 39-45) and sending the user authentication indicator to the first server (Col. 9, In. 51-55; Col. 10, In. 1-3).

9. As to claims 7, 16-17, and 20, the claims are rejected for the same reasons as claim 1 above.

10. As to claim 13, the claim is rejected for the same reasons as claim 1 above. It is inherent that if the authentication server maintains an authentication database and the user submits his user ID and password, that the user had to register said user ID and password with the authentication server (Reiche: Fig. 2b, *especially* items 224 and 226; Col. 9, In. 28-30 and 38-45).

11. As to claim 14, the claim is rejected for the same reasons as claim 13 above.

12. As to claim 3, Reiche discloses the user authentication indicator includes a time stamp indicating the last time the client's login information was refreshed (Col. 10, In. 11-15; Col. 11, In. 53).

13. As to claim 4, Reiche discloses the user authentication indicator includes a time stamp indicating the last time the client sent login information (Col. 11, In. 54).

14. As to claims 8 and 22-23, the claims are rejected for the same reasons as claims 3-4 above.

15. As to claim 5, Reiche discloses computer-readable memories containing a computer program that is executable by a processor (Fig. 1, *especially* items 115, 122, and 152; Col. 6, ln. 3-5).

16. As to claim 6, Reiche discloses the login information is used to authenticate the client with respect to the authentication server but does not have to be transmitted to the first server to authenticate the client with respect to the first server (Col. 9, ln. 6-9, 18-26, and 38-39).

17. As to claims 15 and 19, the claims are rejected for the same reasons as claim 6 above.

18. As to claim 9, Reiche discloses the network server includes a web server coupled to the Internet (Col. 8, ln. 47-52).

19. As to claim 10, Reiche discloses the received login information includes a login ID and a password (Col. 9, ln. 28-30).

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20. As to claim 18, the claim is rejected for the same reasons as claim 10 above.

21. As to claim 21, Reiche discloses the network server is to deny access to the client if the user authentication indicator indicates that the client is not authenticated (Fig. 2b, *especially* item 226 and the corresponding "No" branch leading to "E"; Fig. 2c, *especially* item 242 and the corresponding "No" branch leading to "E"; Col. 10, ln. 1-3).

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 2 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reiche as applied to claims 1 and 7 above, in view of Kaufman et al. (Kaufman), U.S. Patent No. 5,418,854.

24. As to claim 2, Reiche discloses the invention substantially as in parent claim 1, including the user authentication indicator (Col. 10, ln. 1-3), but is silent on the indicator does not contain reference to the login information.

However, Kaufman discloses the user authentication indicator does not contain reference to the login information (Col. 4, ln. 3-19 and 33-42).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Reiche by not including a reference to login information in a user authentication indicator as taught by Kaufman in order to protect the confidentiality of a user's password (Kaufman: Col. 4, ln. 3-5).

25. As to claims 11-12, the claims are rejected for the same reasons as claim 2 above.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the Notice of References Cited (PTO-892).

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571) 270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple
7/5/07


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SUPERVISORY PATENT EXAMINER
7/6/7